Remarks and Arguments

1. This amendment is in response to the Examiner's Final Action of May 20. As indicated above, Applicant is requesting continued examination in view of the importance of the subject matter of this application.

2. The May 20 Action relies on a Beamish patent 6,766,162 ("the 162 patent"). In that Action, the examiner appears to have recognized the basic difference between the subject of the '162 patent and Applicant's novel product recall system. To expedite the prosecution of this application, Applicant has limited all of the claims to a product recall method or receiver. Applicant contemplates filing one or more continuation applications to cover other aspects of his invention.

3. Before discussing the claims, we note that the Examiner has also called Applicant's attention to the following additional patents:

   6,763,269 to Cox - Frequency agile telemetry system for implantable medical device;

   6,754,485 to Obradovich - Technique for effectively providing maintenance and information to vehicles;

   6,654,770 to Kaufman - Automobile safety and maintenance information systems and methods and related services;

   6,651,063 to Vorobiev - Data organization and management system and method;

6,625,581 to Perkowski - Method Of And System For Enabling The Access Of Consumer Product Related Information And The Purchase Of Consumer Products At Points Of Consumer Presence On The World Wide Web (Www) At Which Consumer Product Information Request (Cpir) Enabling Servlet Tags Are Embedded Within Html-Encoded Documents;

6,611,881 to Gottfurcht - Method and system of providing credit card user with barcode purchase data and recommendation automatically on their personal computer;

6,611,201 to Bishop - Method and apparatus for accessing, monitoring and controlled specified functions, features and accessories of a vehicle;

6,550,685 to Kindberg - Methods and apparatus utilizing visually distinctive barcodes;

6,311,162 to Reichwein - Interactive symptomatic recording system and methods;

6,210,210 to Kozel - Flat conductor termination device;

6,064,979 to Perkowski - Method of and system for finding and serving consumer product related information over the internet using manufacturer identification numbers;

5,950,173 to Perkowski - System and method for delivering consumer product related information to consumers within retail environments using internet-based information servers and sales agents; and

5,442,553 to Parrillo - Wireless motor vehicle diagnostic and software upgrade system.

Applicant has reviewed all of the above patents, as well as the '162 patent. None of these patents disclose applicant's system. Indeed, people in infant safety, automotive and other industries as well as safety experts have indicated to Applicant they have been waiting for a recall system such as Applicant's for many years.

4. Turning to the claims presently being asserted, Claims 1, 12, and 21 to 25 call for receiving different specific recall signals and storing an indication of what specific recall was received. This is done in Applicant's system by recording in memory a notice identifier, as well as a description of a specific recall, and then sending to the target products being recalled only the recall notice identifier. Also, the recall notice identifier, not the entire description of the type of recall, is stored in each of the target products when the message is received. As a consequence, there will be a record not only of every recall notice signal that was received by a product, but also a record of the specific type of recall message that was received with each such signal, as well as the time and/or date each message was received.

5. As the Examiner undoubtedly appreciates, Applicant's method is not only to alert users of defects in products, and thereby forestall injuries and save lives, independent of who the user may be at the time of the notice (for example, the original purchaser or anyone else), but it also provides a record, for possible dispute resolution or litigation purposes, of what specific recall was received and the time and date at which it was received. A message may merely relate to a flaw in a product that affects its operability without creating a dangerous situation, or it may concern an imminent danger. Indeed, in a given situation both types of notices may be sent sequentially to a particular

product, and the storage of a "notice-received" signal may not effectively indicate that the danger warning signal was in fact received. The closest prior art Applicant has seen is Bishop patent 6,611,201. The '201 patent, however, fails to teach the use of a recall notice identifier, which according to Applicant, corresponds to a description of a specific recall. Rather, '201 teaches that a particular message can be presented to a user of an automobile and that such messages, of which a plurality of such messages can be stored in a memory in a warning unit that is installed in a car, can include instructions to the user, notifications and even advertisement (Col 5: Lines 49 – 54). In order to notify a user of a specific recall, as Applicant teaches, the warning unit would need to be programmed with different specific recall warning messages – this, though, is not even remotely mentioned in the '201 patent. More importantly, even if the '201 reference were to be modified such that specific warning messages were to be included in the warning unit (7b in '201), this would require that a manufacturer pre-program the warning unit with every conceivable *and every unforeseen recall message* – the latter being *impossible by definition*. With Applicants system, a specific recall with a specific description can be accepted and a specific recall notice identifier is then assigned to the specific recall. This allows the Applicant's system to present specific recalls and record the receipt of specific recalls even though a specific message has not been pre-programmed into the recall receiver integral to a product.

6. By the method of Claims 21 to 24, however, this acute problem is solved. A record is kept, in the form of a notice identifier, and also the notice identifier and the full description of the nature of the recall are stored together, at a location remote from the products being recalled. Thus, while only the notice identifier is sent to the product, there is a full record of what specific recall notice was sent to a product. Since the Beamish '162 system has no possible use for conveying recall messages and does not describe the method and

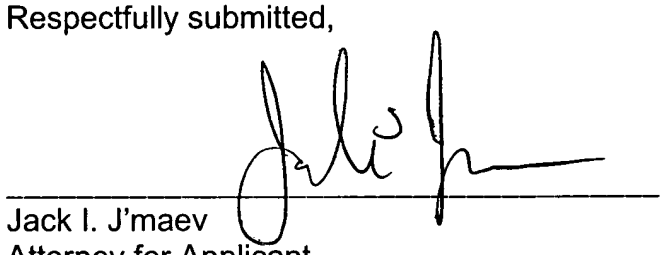
apparatus of Claims 1, 12, and 21 to 25, and since it also has no disclosure, or even suggestion of receiving and storing an indicia of the type of recall notice, such as a notice identifier, in a product recall system it simply is inappropriate to rely on this reference for a rejection of these claims. Applicant notes that none of the references listed above disclose or even suggest such an arrangement.

7. Claims 26 to 29 concern another important feature of Applicant's product recall method. These claims concern sending a product recall signal during a particular time slot which is determined by a time clock in the receiver, so as to minimize the power required by the receiver circuit. Since, in Applicant's product recall system, many receivers are very small units that are powered by small batteries, and the receivers may have to remain operative for a long period of time, without recharge, power consumption is a very important factor. These claims permit the receiver to be activated only during a short period of time, and be powered down at times that are outside the period. This feature also permits the simultaneous sending of multiple recall signals, each in a different time slot, and each carrying the same or a different recall message to a different target group of products. This is also nowhere shown or suggested in the '162 patent or any other prior art known to Applicant. Applicant also notes that Parrillo – US 5,442,553, a patent that was relied upon in a rejection of co-pending application 10/615,345, does not provide an indication of a recall to a user and, although it eludes to communicating with a vehicle "at night", this is far from the series of time slots that Applicant describes. To rely on Parrillo '553 is simply improper because it is not related to any problems Applicant has solved. Parrillo '553 is only pertinent to communicating with a vehicle to effect remote diagnostics and does not pertain to recall notifications in any manner.

8. It is urged, therefore, that all of the claims 1, 7, 12, 15, 16 and 21 to 29 are patentable. Also, it is urged that this application be treated expeditiously. Many people are interested in applicant's invention, including health and safety personnel, a large broadcaster, a chip manufacturer, several major retailers and various investors. Applicant would be pleased to make the invention available to the public as soon as possible so as to save lives and prevent injuries--and this will become a possibility once the patent coverage to protect Applicant's invention has been ensured.

9. Lastly, Applicant thanks the Examiner for his courtesies in relation to this application and for his efforts in locating and presenting all of the prior art that he considers relevant.

Respectfully submitted,



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